

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re:	)	Chapter 11
	)	
W. R. GRACE & CO., <u>et al.</u> , <sup>1</sup>	)	Case No. 01-01139 (JJF)
	)	Jointly Administered
Debtors.	)	

**NOTICE OF AGENDA OF MATTERS SCHEDULED  
FOR HEARING ON NOVEMBER 5, 2001 AT 2:00 P.M.**

**CONTINUED MATTERS**

1. *Motion for Order Fixing Time By Which Debtor Must Assume or Reject Unexpired Leases; or, In the Alternative, for Relief from the §362 Automatic Stay (Docket No. 1005)*

**Related Documents:**

- a. Notice of Motion of Toyota Motor Credit Corporation for Order Fixing Time By Which Debtor Must Assume or Reject Unexpired Leases; *or, In the Alternative*, for Relief from the §362 Automatic Stay (Docket No. 1005)
- b. [Proposed] Order Vacating the Stay Pursuant to 11 U.S.C. Section 362 (Docket No. 1005)
- c. Certificate of Service re: Docket No. 1005 (Docket No. 1005)

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<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co.-Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., G C Limited Partners I, Inc. (f/k/a Grace Cocoa Limited Partners I, Inc.), G C Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc., GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (f/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc.), E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

- d. Amended Certificate of Service re: Docket No. 1005 (Docket No. 1016)
- e. Second Amended Certificate of Service re: Docket No. 1016 (Docket No. 1026)

**Response Deadline:** October 30, 2001 at 4:00 p.m. (extended to December 28, 2001 at 4:00 p.m. for the Debtors' and the Official Committee of Unsecured Creditors by agreement of the parties)

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** The parties have agreed to continue this matter until January 3, 2002, at 9:30 a.m.

- 2. *Motion of Caterpillar Financial Corporation to Compel Debtors to Comply with 11 U.S.C. §365(d)(10) and for Allowance and Payment of Administrative Expenses, or, in the Alternative, for Adequate Protection (Docket No. 1015)*

**Related Documents:**

- a. Notice of Motion re: Docket No. 1015 (Docket No. 1015)
- b. [Proposed] Order Compelling Debtors to Comply with 11 U.S.C. § 365(d)(10) and for Allowance and Payment of Administrative Expenses, or, in the Alternative, for Adequate Protection (Docket No. 1015)
- c. Certificate of Service re: Docket No. 1015 (Docket No. 1015)

**Response Deadline:** October 29, 2001 at 4:00 p.m. (extended to December 28, 2001 at 4:00 p.m. for the Debtors' and the Official Committee of Unsecured Creditors by agreement of the parties)

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** The parties have agreed to continue this matter until January 3, 2002, at 9:30 a.m.

- 3. *Motion for Entry of an Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Assume and Assign Leases for Real Property (Docket No. 815)*

**Related Documents:**

- a. Notice of Debtors' Motion for Entry of an Order Pursuant to Sections 363 and 365 of the Bankruptcy Code Authorizing the Debtors to Assume, Sell and Assign a Prime Lease and the Accompanying Subleases (Docket No. 817)
- b. [Proposed] Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtors to Assume and Assign Leases for Real Property (Docket No. 817)

- c. Certificate of Service re: Docket No. 815 (Docket No. 817)

**Response Deadline:** September 13, 2001 at 4:00 p.m.

**Responses Received:**

- a. Objection of American Real Estate Holdings, Limited Partnership to Debtors' Motion for Entry of an Order Pursuant to Sections 363 and 365 of the Bankruptcy Code Authorizing the Debtors to Assume, Sell and Assign a Prime Lease and the Accompanying Subleases (Docket No. 924)

**Status:** The Debtors have continued this matter until January 3, 2002, at 9:30 a.m.

**UNCONTESTED MATTERS**

4. *Request for Direction from Bankruptcy Court by Interested Parties Hartford Accident and Indemnity Company, First State Insurance Company and Twin City Fire Insurance Company (Docket No. 473)*

**Related Documents:**

- a. Notice of Request and Hearing re: Docket No. 473 (Docket No. 629)  
b. Certificate of Service re: Docket No. 629 (Docket No. 629)  
c. Certification of Counsel re: Docket No. 473 (Docket No. 473)

**Response Deadline:** August 1, 2001 at 4:00 p.m.

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** Counsel for the Interested Parties have filed a Certification of Counsel regarding this matter and request that the Order attached to the Certification be entered at the earliest convenience of the Court.

5. *Motion of the Debtors for the Entry of an Order Granting Administrative Priority Status of Reclamation Claim (Docket No. 753)*  
a. Notice of Motion (Docket No. 753)  
b. Proposed Order  
c. Certificate of Service re: Docket No. 753 (Docket No. 753)  
d. Certification of Counsel re: Docket No. 753 (Docket No. 1065)

**Response Deadline:** August 20, 2001 at 4:00 p.m.

**Responses Received:**

a. Objection of Niro, Inc. to Motion of the Debtors for Entry of An Order Pursuant to Sections 503(b) and 546 (c) of the Bankruptcy Code Granting Administrative Priority Status for Reclamation Claims Deemed Valid (Docket No. 813)

b. Notice of Withdrawal of Opposition of Niro, Inc. to Motion of the Debtors for Entry of an Order Pursuant to Sections 503(b) and 546(c)(2) of the Bankruptcy Code Granting Administrative Priority Status for Reclamation Claims Deemed Valid

**Status:** Counsel for the Debtors have filed a Certification of Counsel regarding this matter and request that the Order attached to the Certification be entered at the earliest convenience of the Court.

6. *Application of the Debtors to Employ Rust Consulting, Inc. as the Official Claims Handling Agent (Docket No. 957)*

a. Notice of Request and Hearing re: Docket No. 957 (Docket No. 957)

b. Certificate of Service re: Docket No. 957 (Docket No. 957)

c. [Proposed] Order Authorizing the Debtors' Retention of Rust Consulting, Inc. as the Official Claims Handling Agent (Docket No. 957)

d. Certificate of Counsel re: Docket No. 957 (Docket No. 1007)

**Response Deadline:** October 10, 2001 at 4:00 p.m.

**Responses Received:** None as of the date of the Agenda Notice.

**Status:** Counsel for the Debtors have filed a Certification of Counsel and request that the Order attached to the Certification be entered at the earliest convenience of the Court.

7. *Motion of Debtors Pursuant to 11 U.S.C. § 105(a) and Fed. R. Bankr. P. 9019 for Court Approval of Stipulation Between Debtor and State of Washington (Docket No. 997)*

**Related Documents:**

a. Notice of Motion of Debtor Pursuant to 11 U.S.C. § 105(a) and Fed. R. Bankr. P. 9019 for Court Approval of Stipulation Between Debtor and State of Washington (Docket No. 997)

b. [Proposed] Order Pursuant to 11 U.S.C. § 105(a) and Fed R. Bankr. P. 9019 Approving the Stipulation Between the Debtor and the State of Washington (Docket No. 997)

c. Certificate of Service re: Docket No 997 (Docket No. 997).

**Response Deadline:** October 23, 2001 at 4:00 p.m.

**Responses Received:** None as of the date of this Agenda Notice.

**Status:** This matter will be going forward.

### **SCHEDULING CONFERENCES**

8. *Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)*

#### **Related Documents:**

- a. Notice of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 536)
- b. [Proposed] Order (i) Approving Case Management Schedule (ii) Establishing Bar Date (iii) Approving the Proof of Claim Forms and (iv) Approving Notice Program (Docket No. 536)
- c. Affidavit of Service re: Docket No. 536 (Docket No. 536)
- d. Memorandum in Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 537)
- e. Exhibits to Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program and Memorandum in Support of Debtors' Motion (Docket No. 545)
- f. Motion of the Official Committee of Asbestos Property Damage Claimants to Continue the Hearing on Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions (Docket No. 614)

**Response Deadline:** July 13, 2001 at 4:00 p.m.

#### **Responses Received:**

- a. United States' Response to Debtors' Motion for Entry of Case Management Order, Motion to Establish Bar Date, Motion to Approve Claim Forms, and Motion to Approve Notice Program (Docket No. 620)
- b. Medical Monitoring Claimants' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Program (Docket No. 536); Joinder in the Motions for

Continuance and Motion for Continuance; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 621)

- c. Zonolite Plaintiffs' Objection to Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, and Motion to Extend Time to Object or Respond to Such Motions; Joinder in Motion for Continuance by Official Committee of Asbestos Property Damage Claimants; Independent Motion to Continue the Hearing on Debtors' Motion; and Request for Consideration and Briefing Regarding Class Treatment (Docket No. 623)
- d. Objection of the Zonolite Plaintiffs to Motion for Case Management, Establishment of Bar Date, Approval of Claim Forms & Notice Program & Joinder in Motion for Continuance & Request for Consideration & Briefing Regarding Class Treatment (Docket No. 674)
- e. Response and Memorandum of the Official Committee of Asbestos Property Damage Claimants in Opposition to Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program (Docket No. 900)
- f. Response to Motion Opposition of the Official Committee of Asbestos Personal Injury Claimants to Debtors' Motion for Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of Notice Program (Docket No. 902)
- g. Response to Motion For Entry of Case Management Order, Establishment of a Bar Date, Approval of the Proof of Claim Forms and Approval of the Notice Program, Filed by Official Committee of Unsecured Creditors (Docket No. 904)
- h. Response to Motion In Support of Debtors' Motion for Entry of Case Management Order, Establishment of Bar Date, Approval of Proof of Claim Forms and Approval of Notice Programs Filed by Official Committee of Equity Holders (Docket No. 1033)

**Status:** This matter is before the Court for the scheduling of a hearing regarding the same.

- 9. *Joint Motion by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 527)*

**Related Documents:**

- a. Notice of Motion re: Docket No. 527 (Docket No. 527)
- b. Affidavit of Service re: Docket No. 527 (Docket No. 530)
- c. Notice of Hearing re: Docket No 527 (Docket No. 1032)

- d. Notice of Hearing on Joint Motion by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 1029)

**Response Deadline:** June 29, 2001 at 4:00 p.m.

**Responses Received:**

- a. Response of Sealed Air Corporation to Joint Motion of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 635)
- b. National Medical Care's Response to the Joint Motion by Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 657)
- c. Debtors' Opposition to the Joint Motion by the Asbestos Property Damage and Personal Injury Committees for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 658)
- d. Opposition of the Official Committee of Unsecured Creditors to the Joint Motion of the Official Committees of Asbestos Property Damage Claimants and Asbestos Personal Injury Claimants for Authority to Prosecute Fraudulent Transfer Claims (Docket No. 659)

**Status:** This matter is before the Court for the scheduling of a hearing regarding the same.

- 10. *Joint Application by the Official Committees of Asbestos Property Damage and Asbestos Personal Injury Claimants for Approval of Employment of Cozen O'Connor and McKool Smith as Co-Special Counsel to the Asbestos Committees (Docket No. 1009)*

**Related Documents:**

- a. Notice of Joint Application re: Docket No. 1009 (Docket No. 1009)
- b. [Proposed] Order Authorizing and Approving the Employment of Cozen O'Connor and McKool Smith as Co-Special Counsel to the Asbestos Committees of Asbestos Property Damage and Personal Injury Claimants (Docket No. 1009)
- c. Affidavit of Meredith S. Jones, Secretary re: Docket No. 1009 (Docket No. 1009)

**Response Deadline:** October 29, 2001 at 4:00 p.m.

**Responses Received:**

- a. Opposition of the Official Committee of Unsecured Creditors to Joint Motion of the Official Committees of Asbestos Property Damage Claimants and Asbestos Personal Injury Claimants for Approval of Employment of Cozen & O'Connor and McKool Smith as Co-Special Counsel to the Asbestos Committees (Docket No. 1037)
- b. Debtors' Opposition to the Joint Application By the Asbestos Property Damage and Personal Injury Committees for Approval of Law Firms to Prosecute the Fraudulent Transfer Claims (Docket No. 1038)

**Status:** This matter is before the Court for the scheduling of a hearing regarding the same.

- 11. *Motion of the Official Committee of Asbestos Property Damage Claimants for an Order Pursuant to 11 U.S.C. §§ 105(a) and 1103(c) Compelling Debtors to Identify, Retain, Collect, and Organize Relevant Documents and to Make all Such Documents Available in a Central Repository (Docket No. 600)*

**Related Documents:**

- a. Notice of Motion re: Docket No. 600 (Docket No. 600)
- b. [Proposed] Order re: Docket No. 600 (Docket No. 600)
- c. Affidavit of Service re: Docket No. 600 (Docket No. 607)

**Response Deadline:** July 12, 2001 at 4:00 p.m.

**Responses Received:**

- a. Limited Objection of Sealed Air Corporation to Proposed Order of the Committee of Asbestos Property Damage Claimants Seeking to Compel Debtors to Create a Document Repository (Docket No. 656)
- b. Joinder of the Official Committee of Asbestos Personal Injury Claimants in the Motion of Official Committee of Asbestos Property Damage Claimants for an Order Pursuant to 11 U.S.C. §§ 105(a) and 1103(c) Compelling Debtors to Identify, Retain, Collect, and Organize Documents in a Central Depository (Docket No. 666)
- c. Debtors' Response to the Official Committee of Asbestos Property Damage Claimants' Motion for an Order Compelling Debtors to Identify, Retain, Collect, and Organize Documents in a Central Depository (Docket No. 667)

**Status:** This matter is before the Court for the scheduling of a hearing regarding the same.

- 12. *Motion from Relief from Automatic Stay; Memorandum of Points and Authorities; Declaration of Alice Smolker; and Proposed Order (Docket No. 893)*

**Related Documents:**



- a. [Proposed] Order re: Docket No. 893 (Docket No. 893)
- b. Declaration of Service By Mail re: Docket No. 893 (Docket No. 893)
- c. Notice of Motion of Alice Smolker and Gary Smolker for Relief from Stay Under Section 362 of the Bankruptcy Code (Docket No. 894)

**Response Deadline:** September 13, 2001 at 4:00 p.m.

**Responses Received:**

- a. Debtors' Opposition to the Smolkers' Motion for Relief from the Automatic Stay [Re: Docket No. 893] (Docket No. 920)

**Status:** This matter is before the Court for the scheduling of a hearing regarding the same.

**CONTESTED MATTERS**

- 13. *Motion of the Debtors for an Order Modifying the Automatic Stay (Docket No. 809)*

**Related Documents:**

- a. Notice of Motion for Relief from the Automatic Stay (Docket No. 809)
- b. [Proposed] Order Modifying the Automatic Stay (Docket No. 809)

**Response Deadline:** September 14, 2001 at 4:00 p.m.

**Responses Received:**

- a. Response of Honeywell International Inc. to Motion of the Debtors for an Order Modifying the Automatic Stay (Docket No. 922)

**Status:** This matter will be going forward.

- 14. *Honeywell International Inc.'s Motion for the Entry of an Order Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. §362(d) (Docket No. 828)*

**Related Documents:**

- a. Notice of Motion for Relief from the Automatic Stay (Docket no. 828)
- b. [Proposed] Order Granting Honeywell International, Inc. Relief from the Automatic Stay (Docket No. 828)

**Response Deadline:** September 14, 2001 at 4:00 p.m.

**Responses Received:**

- a. Response of the Debtors to Honeywell International Inc.'s Motion for the Entry of an Order Granting Relief from the Automatic Stay Pursuant to 11 U.S.C. Section 362(d) (Docket No. 923)

**Status:** This matter will be going forward.

Dated: November 1, 2001

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